IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8027 OF 2004

M/s. Lloyds Finance Ltd. ... Petitioner

Versus

The United Western Bank Ltd. & Ors. Respondents

Mr. Rahul Oak with Mr. R.S. Datar for Petitioner.

CORAM : F.I. REBELLO,J.
DATED : OCTOBER 19, 2005

P.C.

. Rule. Heard forthwith.

. This order is passed by the D.R.T. against the Petitioner herein. That was subject matter of appeal before D.R.A.T. An application was made for waiver. The learned appellate tribunal by order dated 9.5.2003 directed that sum of Rs.50 lacs be deposited within eight weeks. On failure to deposit, the appeal was to stand dismissed. Petition was field on 2.9.2004. No interim relief has been obtained. In other words, the appeal stands dismissed. The tribunal for the reasons set out has chosen not to exercise its discretion. It

is not for this court to interfere with the same in exercise of our extra ordinary jurisdiction.

. However, if the Petitioners deposit within eight weeks from today a sum of Rs.50 lacs, appeal to stand restored. On failure to deposit the amount, order dismissing appeal to stand confirmed. Petition dismissed accordingly. Rule discharged. No order as to costs.

(F.I. REBELLO,J.)